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**NEW YORK CITY POLICE DEPARTMENT**

**RAYMOND W. KELLY**

**COMMISSIONER**

**TESTIMONY OF**

**DEPUTY CHIEF CHARLES F. DOWD**

**COMMANDING OFFICER, NYPD COMMUNICATIONS DIVISION**

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*Federal Communications Commission  
Office of the Secretary*

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Good Morning Chairman Martin and Members of the Commission. I am Deputy Chief Charles F. Dowd of the New York City Police Department and the Commanding Officer of the Communications Division. On behalf of Police Commissioner Raymond W. Kelly and Mayor Michael R. Bloomberg, I would like to thank you for the opportunity to appear before you today to discuss public safety radio interoperability and the role that 700 MHz broadband spectrum can play in enhancing our existing communications capabilities.

The NYPD would like to acknowledge the Commission's efforts to embrace broadband technology. By clearing sufficient spectrum the FCC has created an historic opportunity for public safety first responders. The Commission can now encourage the development and use of broadband voice and data networks by permitting regional and local public safety agencies to construct interoperable broadband voice and data networks. Geography, population density and building construction all vary between regions. As a result, public safety broadband network standards based on local requirements are far more appropriate than struggling to adapt to a single nationwide standard. Existing regional or local public safety broadband networks such as those in use in Washington D.C and New York City should be allowed to grow and thrive. Local or regional public safety wireless broadband networks can achieve nationwide interoperability by interconnecting their core networks into a "network of networks". The public will be better served if the FCC mandates the development of standards at the applications and air interface level. We further believe that investing scarce

financial resources in narrowband technology is fiscally and spectrally inefficient. Narrowband solutions simply cannot deliver broadband features and functions.

The 700 MHz broadband spectrum can serve as a mechanism for public safety agencies to migrate mission critical voice and data communications to a next generation radio network, which we believe will be an integrated broadband voice and data solution. The 700 MHz public safety band is the most appropriate frequency band for this application as it provides an outdoor propagation coverage footprint sufficiently large to insure adequate coverage while providing indoor coverage greater than existing commercial wireless networks. These propagation characteristics are particularly beneficial for public safety network deployments in dense urban areas. We also believe that the technology employed in future public safety radio systems will closely mirror the technology being deployed by commercial wireless networks and that the next generation broadband solution will provide voice capabilities that will meet the stringent requirements of public safety. Adopting this technology will bring the added benefit of substantially reducing the costs associated with the network.

The NYPD supports the model of a nationwide broadband interoperability "network of networks" in 700MHz. We are looking to the Commission and Congress to allow the NYPD to build a broadband mission critical voice and data network in 700MHz that fits this model. Allocating this spectrum to public safety will encourage other public safety first responders to migrate to new technologies

operating in a single national public safety band rather than maintaining a patchwork of public safety networks on a variety of frequency bands. Consolidation into a single public safety band inherently promotes interoperability at all operational levels.

Land Mobile Radio technology has been relatively stagnant because the FCC's rules do not encourage the development of new technology or the adoption of existing but more efficient use of spectrum. History has shown that technology drives the regulatory process as illustrated by today's hearing. The FCC rightfully abandoned the 700MHz wideband model for data interoperability in favor of a broadband approach due in part to the overwhelming success of commercial broadband wireless networks. By allowing public safety to leverage new technology and move forward with non land mobile type solutions we will bring new functionality to the users sooner rather than later.

The wireless industry and the Commission share common goals of spectral efficiency and network interoperability. Wireless network operators seek to maximize their customer base and allow their customers to access networks outside their coverage area. Since spectrum is a limited and expensive resource, it is in public safety's interest to develop wireless networks that are spectrally efficient and interoperable with other networks.

We see support for our position in the filings of other cities. Both Philadelphia and San Francisco filed comments in support of local or regional public safety broadband networks as opposed to the proposed national network. We are also seeing manufacturers publicly expressing interest in developing broadband mission critical voice and data networks for public safety. The Commission has indicated to us that mission critical voice communications is consistent with the intent of the latest Notice of Proposed Rulemaking.

Since the overall financial goal of the auction was met during the first phase, the Commission should not re-auction the "D" Block spectrum, and should appeal to Congress to permit the allocation of this spectrum immediately to public safety. The suggestion, by some, that reducing network performance requirements may attract potential bidders to a second auction, in our view, is fatally flawed because the resulting commercial network will be even less attractive to public safety. By acting to combine the 10MHz of D Block spectrum with the 10MHz of public safety broadband spectrum already assigned, the Commission would create a contiguous block of spectrum that is large enough to accommodate both public safety mission critical voice and data.

I would like to thank the Commission for this opportunity to present what the NYPD believes is a solution that is in the best interest of public safety. I am happy to answer any questions that you might have.